

ENTERED

July 12, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAGISTRATE NO. 2:19-MJ-2621
	§	
SERAFIN RODRIGUEZ PENA	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

(1) There is probable cause to believe the Defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(A); and


(2) The Defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the Defendant as required and the safety of the community.

The evidence against the Defendant is substantial. The Defendant admitted he was being paid to transport narcotics. The findings and conclusions contained in paragraphs one through six of the Pretrial Services Report are adopted. The defendant has two outstanding warrants for failure to appear in Michigan and Arkansas. The Michigan offense is a 2013 DUI where the Defendant failed to appear for his plea and sentence. The Defendant advised the Probation Department that he went to Michigan annually, and so had at least six opportunities to take care of the matter and chose not to

do so. The Defendant appears to have a substance abuse history. He is facing a ten-year minimum mandatory sentence and was caught with over 25 kilograms of methamphetamine. He is not a good candidate for bond.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 12th day of July, 2019.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE